

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

| | | |
|--------------------|---|------------------------|
| AFFYMETRIX, INC., |) | |
| |) | |
| Plaintiff/Counter- |) | C. A. No. 04-901 (JJF) |
| Defendant, |) | |
| |) | |
| |) | |
| ILLUMINA, INC., |) | |
| |) | |
| Defendant/Counter- |) | |
| Plaintiff. |) | |

NOTICE OF DEPOSITION OF TIM KISH

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that, pursuant to Fed. R. Civ. P. 30, plaintiff

Affymetrix, Inc., through their attorneys, will take the deposition upon oral examination of Tim Kish beginning at 9:30 a.m. on November 29, 2005 at the Hilton San Diego Airport/Harbor Island Hotel, 1960 Harbor Island Drive, San Diego, California, 92101.

The deposition will be recorded stenographically, with the capacity to provide instant visual display or playback of the testimony, and by video by an officer authorized to administer oaths. All counsel are invited to attend and examine the witness.

MORRIS, NICHOLS, ARSHT & TUNNELL



Jack B. Blumefeld (#1014)

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September 20, 2005
483965

CERTIFICATE OF SERVICE

I hereby certify that on September 20, 2005, I electronically filed a Notice Of Deposition of Tim Kish using CM/ECF which will send notification of such filing(s) to the following:

Richard K. Herrmann, Esquire
Mary B. Matterer, Esquire
Morris, James, Hitchens & Williams LLP
222 Delaware Avenue, 10th Floor
Wilmington, DE 19801

I hereby certify that on September 20, 2005, I have caused to be sent by Federal Express, the above-mentioned document to the following non-registered participants:

Marcus E. Sernel, Esquire
Kirkland & Ellis LLP
200 East Randolph Drive
Chicago, IL 60601

/s/ Maryellen Noreika
Maryellen Noreika (#3208)
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